

January 10, 2012

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0004001252

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Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

In Re:

SK FOODS, LP, a California limited
partnership, et al.,

Debtors.

CASE NO. 09-29162-D-11

CHAPTER 11

**STIPULATION AND ORDER TO FILE
TRUSTEE'S OPPOSITION TO COLLINS'
MOTION FOR RECONSIDERATION OF
THE COURT'S ORDER DENYING
MOTION QUASH/FOR PROTECTIVE
ORDER AND RELATED DOCUMENTS
UNDER SEAL**

Bradley D. Sharp, et al.,

Plaintiffs,

v.

SSC Farms, I, LLC, et al.,

Defendants.

APN: 09-02692-D

DCN: 1

11 U.S.C. § 107
FRBP Rule 9018**[NO HEARING REQUIRED]**SCHNADER HARRISON SEGAL & LEWIS LLP
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January 09, 2012

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
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STIPULATION AND ORDER RE: FILING UNDER SEAL

Bradley D. Sharp, the duly appointed and acting Chapter 11 Trustee (the “Trustee”) in the case of SK Foods, L.P. and RHM Industrial Specialty Foods, Inc. d/b/a Colusa County Canning Co. (collectively, the “Debtors”), and Cary Collins and Collins & Associates (“Collins”) hereby stipulate and agree as follows:

1. On December 15, 2011, Collins filed its Motion for Reconsideration of the Court’s Order Denying Motion Quash/For Protective Order (the “Motion for Reconsideration”), with the Court.

2. The Trustee is preparing an opposition (“Opposition”) to the Motion for Reconsideration. The Opposition discusses the Trustee’s investigation of the subpoenaed documents from Mechanics Bank and Metro Bank, and describes certain of those documents. The Court’s Order of December 1 requires the Trustee and his counsel to treat those documents as Confidential and to seek a Court order sealing any pleading that discuss them. See Order Denying Collins & Associates Motion to Quash/For Protective Order Regarding Subpoenas on Mechanics Bank and Metro United Bank on December 1 (the “December 1 Order”).

3. In order to comply with the December 1 Order, the Trustee should be permitted to file the Opposition, with supporting exhibits and declarations, under seal.

4. The Trustee will provide full copies of the Opposition to the Motion for Reconsideration to:

- a. the Court under seal;
- b. Counsel of record for Collins & Associates; and
- c. Counsel of record for the Creditors’ Committee, the Salyer Entities¹ and the Bank of Montreal.

¹ The “Salyer Entities” are the defendants in the three adversary proceedings 09-02692, 10-02014, and 10-02016. Those defendants are Scott Salyer, as a trustee of the Scott Salyer Revocable Trust, SK PM Corporation, SK Foods, LLC, SKF Canning, LLC, Blackstone Ranch Corporation, Monterey Peninsula Farms, LLC, Salyer Management Company, LLC., SK Farms Services, LLC, SK Frozen Foods, LLC, SS Farms, LLC, SSC Farming, LLC, SS Farms I, LLC, SS Farms II, LLC, SS Farms III, LLC, SKF Aviation, LLC, and CSSS, LP d/b/a Central Valley Shippers.

5. Thereafter, Collins intends to file a reply (the "Reply") to the Opposition, which will address matters included in the sealed Opposition.

6. Collins should also be permitted to file the Reply, with supporting exhibits and declarations, under seal.

7. Collins will provide full copies of the Reply to:

- a. The Court under seal;
- b. Counsel for the Trustee; and
- c. Counsel of record for the Creditors' Committee, the Salyer Entities and the Bank of Montreal.

8. The Opposition and Reply documents will remain under seal until further order of this Court.

IT IS SO STIPULATED.

Dated: January 9, 2012

SCHNADER HARRISON SEGAL & LEWIS LLP

/s/ Natalie Bush-Lents

Natalie Bush-Lents

Attorneys for Plaintiff Bradley D. Sharp, Chapter 11 Trustee

Dated: January 9, 2012

ALLEN MATKINS LECK GAMBLE MALLORY
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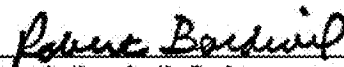
/s/ Nicholas A. Subias

Nicholas A. Subias

Attorneys for Third Parties
Collins & Associates and Cary Collins

IT IS SO ORDERED.

Dated: January 10, 2012


Robert S. Bardwil, Judge
United States Bankruptcy Court